

**DECLARATION OF OIL AND GAS NOTICE**

(Tax Map 15, Liberty District, Marshall County, West Virginia)

The undersigned hereby declares:

(1) The undersigned is the owner (or lessee) of one or more coal seams or workable coal beds as those terms are defined in Section One, Article Six, Chapter Twenty-two (Section 22-6-1) of the Code of West Virginia.

(2) The coal seam(s) or workable coal bed(s) owned or leased partly or wholly by the undersigned lie(s) under the surface of lands described in Exhibit A attached hereto and made a part hereof.

(3) The undersigned desires to be given all notices of oil and gas operations provided by Sections Twelve, Thirteen, Fourteen, Twenty-three and Thirty-six of Article Six, Chapter Twenty-two (Sections 22-6-12; 22-6-13; 22-6-14; 22-6-23; and 22-6-36) of the Code of West Virginia, addressed as follows:

CONRHEIN COAL COMPANY

CONSOLIDATION COAL COMPANY

CONSOL PENNSYLVANIA COAL COMPANY LLC

McELROY COAL COMPANY

RESERVE COAL PROPERTIES COMPANY

CNX LAND RESOURCES INC.

**C/O LEATHERWOOD, INC.  
1000 CONSOL ENERGY DRIVE  
CANONSBURG, PA 15317-6506**

IN WITNESS WHEREOF, Conrhein Coal Company, a Pennsylvania corporation, has caused its corporate name to be subscribed hereto this 25<sup>th</sup> day of September, 2010, by William Gillenwaters Asst. Manager, by authority duly given.

Jan Pest  
MARSHALL County 09:42:01 AM  
Instrument No 1293441  
Date Recorded 10/20/2010  
Document Type O&G  
Pages Recorded 6  
Book-Page 710-431  
Recording Fee \$6.00  
Additional \$6.00

CONRHEIN COAL COMPANY  
a Pennsylvania corporation:

By: William Gillenwaters  
Its: Assistant Manager

IN WITNESS WHEREOF, Consolidation Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 28<sup>th</sup> day of September, 2010, by Robert P. King, its Vice President by authority duly given.

CONSOLIDATION COAL COMPANY

a Delaware corporation:

By: 

Its: Vice President

IN WITNESS WHEREOF, CONSOL Pennsylvania Coal Company LLC, a Delaware limited liability company, has caused its corporate name to be subscribed hereto this 28<sup>th</sup> day of September, 2010, by Robert P. King, its Vice President by authority duly given.

CONSOL PENNSYLVANIA COAL COMPANY LLC

a Delaware limited liability company:

By: 

Its: Vice President

IN WITNESS WHEREOF, Reserve Coal Properties Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 28<sup>th</sup> day of September, 2010, by William Gillenwater, its Vice President by authority duly given.

RESERVE COAL PROPERTIES COMPANY

a Delaware corporation:

By: 

Its: Vice President

IN WITNESS WHEREOF, McElroy Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 28<sup>th</sup> day of September, 2010, by Robert P. King, its Vice President, by authority duly given.

MCELROY COAL COMPANY  
a Delaware corporation:

By: [Signature]

Its: Vice President

IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its corporate name to be subscribed hereto this 28<sup>th</sup> day of September, 2010, by William Gillenwater, its Vice President, by authority duly given.

CNX LAND RESOURCES INC.  
a Delaware corporation:

By: [Signature]

Its: Vice President

**NOTE:** PLEASE PROPERLY INDEX THIS DOCUMENT (1) UNDER CONSOLIDATION COAL COMPANY, CONSOL PENNSYLVANIA COAL COMPANY, RESERVE COAL PROPERTIES COMPANY, CONRHEIN COAL COMPANY, MCELROY COAL COMPANY, AND CNX LAND RESOURCES INC. AS A GRANTOR, AND (2) UNDER THE NAMES OF EACH OF THE INDIVIDUAL SURFACE OWNER NAMES LISTED ON THE ATTACHED EXHIBIT A AS GRANTORS, ACCORDING TO LAST NAME AND/OR ENTITY NAME.

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Washington

Before me, Joanne T. Bafrali, a Notary Public, on this day personally appeared William Gillenwater, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the Asst Manager of CONRHEIN COAL COMPANY, a PENNSYLVANIA corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 28<sup>th</sup> day of September, 2010.

[Signature]  
Notary Public

(SEAL)

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal  
Joanne T. Bafrali, Notary Public  
Upper St. Clair Twp., Allegheny County  
My Commission Expires Sept. 10, 2014

My Commission expires 9-10-14

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Washington

Before me, Joanne T. Bafrali, a Notary Public, on this day personally appeared Robert P. King, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the Vice President of CONSOLIDATION COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 28th day of September, 2010.

(SEAL)

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Joanne T. Bafrali, Notary Public  
Upper St. Clair Twp., Allegheny County  
My Commission Expires Sept. 10, 2014

Member, Pennsylvania Association of Notaries

Joanne T. Bafrali  
Notary Public

My Commission expires 9-10-14

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Washington

Before me, Joanne T. Bafrali, a Notary Public, on this day personally appeared Robert P. King, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the Vice President of CONSOL PENNSYLVANIA COAL COMPANY LLC, a DELAWARE limited liability company, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 28th day of September, 2010.

(SEAL)

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Joanne T. Bafrali, Notary Public  
Upper St. Clair Twp., Allegheny County  
My Commission Expires Sept. 10, 2014

Member, Pennsylvania Association of Notaries

Joanne T. Bafrali  
Notary Public

My Commission expires 9-10-14

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Washington

Before me, Joanne T. Bafrali, a Notary Public, on this day personally appeared William Gillewater, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the Vice President of RESERVE COAL PROPERTIES COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 28th day of September, 2010.

(SEAL)

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Joanne T. Bafrali, Notary Public  
Upper St. Clair Twp., Allegheny County  
My Commission Expires Sept. 10, 2014

Member, Pennsylvania Association of Notaries

Joanne T. Bafrali  
Notary Public

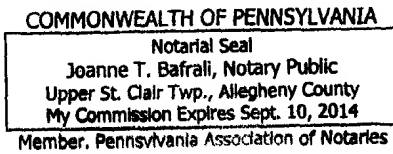
My Commission expires 9-10-14

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Washington

Before me, Joanne T. Bafrali, a Notary Public, on this day personally appeared Robert P. King, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the Vice President of MCELROY COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 28th day of September, 2010.

(SEAL)



Joanne T. Bafrali  
Notary Public

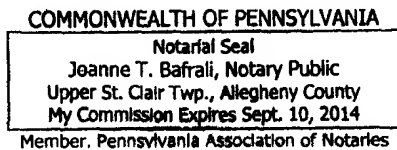
My Commission expires 9-10-14

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Washington

Before me, Joanne T. Bafrali, a Notary Public, on this day personally appeared William Glenwater, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the Vice President of CNX LAND RESOURCES INC., a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 28th day of September, 2010.

(SEAL)



Joanne T. Bafrali  
Notary Public

My Commission expires 9-10-14

This Document Prepared By:

Andrew S. Graham

WV Bar No. 9664

Steptoe &amp; Johnson PLLC

1085 Van Voorhis Road

PO BOX 1616

Morgantown, WV 26507

(304) 598-8000

**EXHIBIT A - SURFACE TRACTS (McELROY MINE)**  
**Tax Map 15, Liberty District, Marshall County, West Virginia**

BOOK 0710 PAGE 0436

Tax Map	Parcel	Last Name	First Name	Street Address	City	State	Zip	Assessment Description	Reference
15	1	Hinkle Family Trust		943 E Spring Water Canyo	SAHUARITA	AZ	85629	191.21 BENS RUN	707/334
15	1.1	Gordon	Eve - Life	Mountain View Realty LLC	MC HENRY	MD	21541	113.79 A BENS RUN SURF	670/299
15	2	Gordon	Eve - Life	Mountain View Realty LLC	MC HENRY	MD	21541	8.95 N Fish Creek	670/299
15	3	Gordon	Eve - Life	Mountain View Realty LLC	MC HENRY	MD	21541	9.98 N Fish Creek	670/299
15	4	Gordon	Eve - Life	Mountain View Realty LLC	MC HENRY	MD	21541	7.28 N Fish Creek	670/299
15	6	Shields	Merle & Neil Brown	PO Box 269	ACME	PA	15610	190.95 N Fish Creek	617/570
15	7	Cain	Vera S. - Life	RD 5 Box 257	CAMERON	WV	26033	180.19 N Fish Creek	660/15
15	9	Mackey	Marvin & Lanette McDiffit	RD 5 Box 310	CAMERON	WV	26033	5.35 Belton	653/198
15	10	Stuhmer	Donald T & Kimberly A	1120 Bradley Road	PASADENA	MD	21122	27.28 A N Fish Creek	650/87
15	10.1	Barr	John D	Barr John D HC 62 Box 28	BURTON	WV	26562	13.28 A N Fish Creek	636/9 & 693/84
15	12	Bordenkircher	Donald E. et ux	2100 King HTS Lot 879	Port Charlotte	FL	33980	30.4 N Fish Creek	617/169
15	12.1	Neely	Trevor L	RR 5 Box 258C	CAMERON	WV	26033	15 A N Fish Creek Camp	662/143
15	14	Mountain View Realty LLC		Wood Jr Norman 24441	MC HENRY	MD	21541	8.27 Belton	654/255
15	15	Mountain View Realty LLC		Wood Jr Norman 24441	MC HENRY	MD	21541	10 & Parcel Fish Creek	654/255
15	17	Mountain View Realty LLC		Garrett Hwy	MC HENRY	MD	21541	84.67 Fish Creek	654/613
15	19	Hinkle Family Trust		24441 Garrett Hwy	MC HENRY	MD	21541	10.10 Bens Run	707/344
15				943 E Spring Water Canyo	SAHUARITA	AZ	85629		

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 28th day of September, 2010, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 20th day of October, 2010 at 9:43 o'clock A.M.

TESTE: Jan Pest Clerk.